

E-FILING

United States District Court
FILED

NORTHERN

DISTRICT OF

CALIFORNIA

2008 JUN 25 P 3:36

UNITED STATES OF AMERICA

V.

Feliciano MEMIJE-Santos
(Name and Address of Defendant)RICHARD W. WIEKING
CLERK
U.S. DISTRICT COURT
CRIMINAL COMPLAINT

08-70385

RS

CASE NUMBER:

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On a date unknown but no later than, May 16, 2008, in Monterey County in the Northern District of California defendant(s) was, (Track Statutory Language of Offense)

Unlawfully re-entered and was found in the United States after deportation, without the permission of the Attorney General

in violation of Title 8 United States Code, Section(s) 1326
I further state that I am a(n) Deportation Officer and that this complaint is based on the following
Official Title
facts:

SEE ATTACHED AFFIDAVIT

PENALTIES: \$250,000.00 fine, twenty (20) years imprisonment, \$100.00 special assessment fee, and a Term of Supervised Release up to three years.

Requested bail: Issue no bail warrant.

APPROVED AS TO FORM:

ASSISTANT UNITED STATES ATTORNEY

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

Signature of Complainant

Sworn to before me and subscribed in my presence,

6/25/08
Date

at

San Jose, California
City and StateRichard Seeborg
United States Magistrate Judge
Name & Title of Judicial Officer

Signature of Judicial Officer

RE: MEMIJE-Santos, Feliciano A70 049 337

I am a Deportation Officer of the United States Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE) and have been employed since July 7, 1997. I am currently assigned to the Criminal Alien Program (CAP) Unit of the San Jose Sub-Office. In such capacity, I have reviewed the official file relating to the above named individual, which attests to the following:

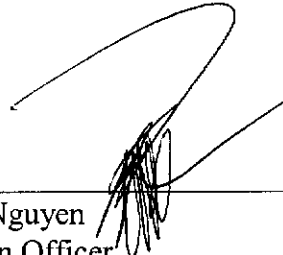
- (1) Mr. MEMIJE-Santos is a 47-year-old male who has used fourteen (14) aliases and one (1) date of birth in the past.
- (2) Mr. MEMIJE-Santos has been assigned two (2) Alien Registration numbers of A70 049 337 and A92 913 478, FBI number of 994629DA9, California Criminal Information Index number of A07661253, and a California Department of Correction number F19199.
- (3) Mr. MEMIJE-Santos is a native of Mexico and a citizen of Mexico since birth. A check through official records shows that he was arrested and deported on two (2) occasions from the United States:

<u>DATE</u>	<u>PLACE OF DEPORTATION</u>
January 16, 2004	Nogales, AZ
November 01, 2006	San Ysidro, CA

- (4) Mr. MEMIJE-Santos last entered the United States at or near San Ysidro, CA on or after November 01, 2006, by crossing the international border without inspection subsequent to deportation.
- (5) Mr. MEMIJE-Santos on a date unknown, but no later than May 16, 2008, in Monterey County in the Northern District of California, was found to be unlawfully present in the United States, after prior arrests and deportations, without the permission of the Attorney General or the Secretary of Homeland Security, in violation of Title 8, United States Code, Section 1326.
- (6) Mr. MEMIJE-Santos was, on June 7, 1985, convicted in the Superior Court of California, in and for the County of Orange, for the offense of CARRY CONCEALED WEAPON IN VEHICLE, a misdemeanor, in violation of Section 12025(a) of the California Penal Code, and was sentenced to thirty (30) days in jail.
- (7) Mr. MEMIJE-Santos was, on March 30, 1987, convicted in the Superior Court of California, in and for the County of Orange, for the offense of EXHIBIT FIREARM, a misdemeanor, in violation of Section 417(a)(2) of the California Penal Code, and was sentenced to ninety (90) days in jail.

RE: MEMIJE-Santos, Feliciano A70 049 337

- (8) Mr. MEMIJE-Santos was, on September 18, 1990, convicted in the Superior Court of California, in and for the County of Orange, for the offense of ARSON: INHABITED STRUCTURE/PROPERTY, an aggravated felony, in violation of Section 451(b) of the California Penal Code, and was sentenced to three (3) years in prison.
- (9) Mr. MEMIJE-Santos was, on January 8, 1999, convicted in the Superior Court of California, in and for the County of Orange, for the offense of HIDE FACTS: INSURANCE ENTITLEMENT BENEFIT, a felony, in violation of Section 550(b)(3) of the California Penal Code, and was sentenced to one (1) year in jail.
- (10) Mr. MEMIJE-Santos was, on March 6, 2006, convicted in the Superior Court of California, in and for the County of Orange, for the offense of ASSAULT WITH A DEADLY WEAPON OTHER THAN A FIREARM, TO WIT: A KNIFE, an aggravated felony, in violation of Section 245(a)(1) of the California Penal Code, and was sentenced to two (2) years in prison.
- (11) On the basis of the above information, there is probable cause to believe that Mr. MEMIJE-Santos illegally re-entered the United States, in violation of Title 8, United States Code, Section 1326.



Trong Q. Nguyen
Deportation Officer
Immigration and Customs Enforcement

Subscribed and sworn to before me this 25th day of June, 2008



RICHARD SEEBORG
UNITED STATES MAGISTRATE JUDGE